

REMARKS

Claims 1-2, 6-8, 11-37, 41, 44-61, and 63-81 are pending, with claims 1, 30, 63, 64, 69 and 71 being independent. Claims 1-2, 11-12, 30, 37, 44-45, 63-64 and 69 have been amended, claims 3-5, 9-10, 38-40, 42-43 and 62 have been cancelled and claims 71-81 have been added by this supplemental response. In view of the foregoing amendments and the following remarks, reconsideration and allowance of this application are respectfully requested.

Interview Summary

Applicants would like to thank Primary Examiner Faile for the courtesies extended to Applicants' representative during the personal interview conducted on April 8, 2003. The foregoing amendments and following remarks reflect the substance of the interview.

35 U.S.C. § 102(e) Legall et al. Rejection

Claims 1-2, 6-8, 12-23, 26-30, 34-37, 41, 45-56, 59-61, and 64-67 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Legall (U.S. Patent No. 6,005,565). This rejection is obviated by the present amendment to claims 1, 30, and 64.

As amended, independent claim 1 is directed to a method of presenting content in a web-based TV environment that recites, among other things, "determining a local context for the viewer based on the determined geographic location, wherein the local context corresponds to a local day-part" and use of that determined local day-part in customizing a content page. Applicants respectfully submit that Legall is silent with regard to at least these elements of Applicants' claim 1.

Legall describes a search tool that enables a user to search an electronic program guide and other information resources with one search. The user creates a filter indicating the topic or terms to be used to perform the search, including broadcast category, start time, and end time. See Legall at col. 3, l. 57 to col. 4, l. 15. Once the filter is created, the search is activated and results of the search on the electronic program guide are displayed. See Legall at col. 4, ll. 16-65.

However, Legall does not describe or suggest determining a local context corresponding to a local day-part based on the determined geographic location of a viewer of a web-based TV system, or use of the determined local day-part to customize a content page, directly or indirectly. In contrast to Applicants' recited claim 1, Legall provides a search based on an EPG that is predetermined for a particular user. Legall describes merely receiving user-created or user-entered criteria/data and performing a search using that criteria/data without disclosing the determination or use of a viewer's local context or their local day-part to customize a content page.

Claims 2, 6-8, 12-23, and 26-29 depend from claim 1 and are believed to be allowable for at least the reasons given for claim 1.

Independent claim 30 is directed to a method of presenting electronic content in a computer-network based environment that includes, similarly to claim 1 and among other things, "determining a local context for the user based on the determined geographic location, wherein the local context corresponds to a local day-part" and use of that determined local day-part in customizing a content page. As discussed above with respect to claim 1, Legall does not teach or suggest at least these features of claim 30.

Claims 34-37, 41, 45-56, and 59-61 depend from claim 30 and are believed to be allowable for at least the reasons given for claim 30.

Independent claim 64 is directed to a web-based TV system including software instructions to, similarly to claim 1 and among other things, "determine a local context for a viewer of the web-based TV system based on the determined geographic location, wherein the local context corresponds to a local day-part" and use of that determined local day-part in customizing a content page. As discussed above with respect to claim 1, Legall does not teach or suggest at least these features of claim 64.

Claims 65-67 depend from claim 64 and are believed to be allowable for at least the reasons given for claim 64.

As Legall does not describe each and every element of Applicants' claims 1-2, 6-8, 12-23, 26-30, 34-37, 41, 45-56, 59-61, and 64-67, it cannot serve as a basis for valid rejection under Section 102. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-2, 6-8, 12-23, 26-30, 34-37, 41, 45-56, 59-61, and 64-67.

35 U.S.C. § 103(a) Legall/Ballard Rejection

Claims 24-25, 31-33, and 57-58 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Legall in view of Ballard (U.S. Patent No. 6,182,050). This rejection is obviated by the present amendment to base independent claims 1 and 30.

Claims 24-25 depend from claim 1 and are allowable for at least the reasons given for claim 1, and claims 31-33 and 57-58 depend from claim 30 and are allowable for at least the reasons given for claim 30. In particular, Ballard does not remedy any of the deficiencies of Legall with respect to claims 1 and 30 because Ballard does not describe or suggest determining a local context corresponding to a local day-part based on the determined geographic location of a viewer of a web-based TV system. Ballard describes merely receiving user-created or user-entered criteria and/or data and performing a matching of advertisements with the user using that criteria, but Ballard fails to disclose determining or using the determined local day-part of a viewer to customize a content page.

It is respectfully submitted that Legall and Ballard, either alone or in combination, do not establish a *prima facie* case of obviousness with regard to claims 24-25, 31-33 and 57-58. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

35 U.S.C. § 103(a) Ballard/Legall Rejection

Claims 63 and 69 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ballard in view of Legall. This rejection is obviated by the present amendment to claims 63 and 69.

Claims 63, and 69 each are independent claims. As amended, independent claim 63 recites, similarly to claim 1 and among other things, "determining a local day-part for the viewer based on the determined geographic location." Independent claim 69 recites software instructions to, similarly to claim 1 and among other things, "determine a local context for the user based on the geographic location, wherein the local context corresponds to a local day-part." Each of claims 63 and 69 uses the determined local day-part in customizing a content page.

Applicants request withdrawal of the rejection of claims 63 and 69 because, as discussed with respect to claims 24-25, 31-33, and 57-58, neither Ballard, Legall, nor any combination of

the two describes or suggests determining a local day-part based on the geographic location, as recited in claims 63 and 69.

It is respectfully submitted that Ballard and Legall, either alone or in combination, do not establish a *prima facie* case of obviousness with regard to claims 62, 63, and 69. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

35 U.S.C. § 103(a) Legall/Barros Rejection

Claims 11 and 44 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Legall in view of Barros (U.S. Patent No. 6,307,573). This rejection is obviated by the present amendment to claims 1 and 30.

Claim 11 depends from claim 1 and is allowable for at least the reasons given for claim 1. Claim 44 depends from claim 30 and is allowable for at least the reasons given for claim 30.

In particular, Barros does not remedy any of the deficiencies of Legall with respect to claims 1 and 30. Barros does not describe or suggest determining a local context corresponding to a local day-part based on the determined geographic location of a viewer of a web-based TV system. It is noteworthy that Barros was cited as allegedly specifying a thematic element associated with a context, not as disclosing features related to determining or using a local context.

It is respectfully submitted that Legall and Barros, either alone or in combination, do not establish a *prima facie* case of obviousness with regard to claims 11 and 44. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

35 U.S.C. § 103(a) Legall Rejection

Claim 68 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Legall. This rejection is obviated by the present amendment to claim 64.

Claim 68 depends from claim 64 and is allowable for at least the reasons given for claim 64.

It is respectfully submitted that Legall does not establish a *prima facie* case of obviousness with regard to claim 68. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.